

FORM PTO-139C (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 12-2004)

ATTORNEY'S DOCKET NUMBER

871V.0138.U1(US)

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/520374INTERNATIONAL APPLICATION NO.
PCT/CA03/00980INTERNATIONAL FILING DATE
27 June 2003 (27.06.2003)PRIORITY DATE CLAIMED
05 July 2002 (05.07.2002)

TITLE OF INVENTION

METHOD AND DEVICE FOR EFFICIENT IN-BAND DIM-AND-BURST SIGNALING AND HALF-RATE MAX OPERATION
IN VARIABLE BIT-RATE WIDEBAND SPEECH CODING FOR CDMA WIRELESS SYSTEMS

APPLICANT(S) FOR DO/EO/US

JELINEK, Milan and SALAMI, Redwan

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☒ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 460360214 US
23. ☒ Other items or information:

Written Opinion, Response to Written Opinion, PCT/IB/332, PCT/IB/304, PCT/IB/301

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/520374</div>		INTERNATIONAL APPLICATION NO. <div style="text-align: center;">PCT/CA03/00980</div>		ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">871V.0138.U1(US)</div>		
24. The following fees are submitted:				Applicant use	Office use	
<input checked="" type="checkbox"/> a) Basic national fee \$300.00				\$ 300.00		
<input checked="" type="checkbox"/> b) Examination fee \$200.00				\$ 200.00		
<input checked="" type="checkbox"/> c) Search fee \$500.00				\$ 500.00		
TOTAL OF ABOVE CALCULATIONS = \$1000.00				\$ 1,000.00		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.						
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE			
- 100 =	/50 =		x	\$		
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
Total claims	62 - 20 =	42	x \$50.00	\$ 2,100.00		
Independent claims	24 - 3 =	21	x \$200.00	\$ 4,200.00		
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> +				\$ 0.00		
TOTAL OF ABOVE CALCULATIONS =				\$ 7,300.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00		
SUBTOTAL =				\$ 7,300.00		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00		
TOTAL NATIONAL FEE =				\$ 7,300.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$ 0.00		
TOTAL FEES ENCLOSED =				\$ 7,300.00		
Amount to be refunded:				\$		
Amount to be charged:				\$		
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>7,300.00</u> to cover the above fees is enclosed.						
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is						
c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-1924</u> . A duplicate copy of this sheet is enclosed.						
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.						
SEND ALL CORRESPONDENCE TO:						
Customer No. 29,683 SMITH, HARRY F. Harrington & Smith, LLP 4 Research Drive Shelton, Connecticut 06484-6212 Tel: (203) 925-9400/ Fax: (203) 944-0245						
				SIGNATURE 		
				NAME Harry F. Smith		
				REGISTRATION NUMBER 32,493		

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:

Applicant: JELINEK et al.
Serial No.: 10/

Filed: Herewith

Title: Method and Device for Efficient In-Band Dim-and-Burst Signaling and Half-Rate
Max Operation in Variable Bit-Rate Wideband Speech Coding for CDMA Wireless
Systems

Attorney Docket No.: 871V.0138.U1(US)

Express Mail Certificate

I hereby certify that the following correspondence:

New National Stage Application Transmittal letter (including copies of International
Application, Article 19 Amendment, International Search Report, Written Opinion, Response to
Written Opinion and International Preliminary Examination Report,);

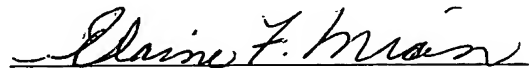
Assignment w/Recordation Cover Sheet (filed with USPTO on 30 July 2004);

PCT Power of Attorney forms;

Preliminary Amendment; and

Check in the amount of \$ 7300.00

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee"
under 37 CFR 1.10, Express Mail No. **EV 460360214 US**, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop PCT on
January 4, 2005.



Elaine Mian